

IN THE CIRCUIT COURT OF HOLMES COUNTY, MISSISSIPPI

KIMBERLY OUTLAW AS MOTHER AND  
WRONGFUL DEATH BENEFICIARY OF  
KAMAYA LLOYD, DECEASED

PLAINTIFF (S)

VS.

NO. 2019-0157

HOLMES COUNTY, MISSISSIPPI;  
WILLIE MARCH, HOLMES COUNTY SHERIFF,  
IN HIS OFFICIAL CAPACITY; AND  
HOLMES COUNTY SHERIFF'S DEPARTMENT

DEFENDANT (S)

CERTIFICATION

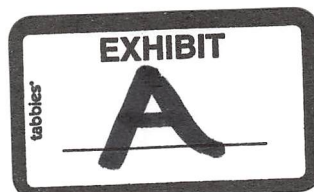
I, Earline Wright Hart, Clerk of the Circuit Court of  
Holmes County, Mississippi, do hereby certify that the following  
pleadings are copies of the original documents filed in the above  
styled and numbered cause.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 28TH day  
of AUGUST, 20 19.



EARLINE WRIGHT HART, CIRCUIT CLERK  
HOLMES COUNTY, MISSISSIPPI

BY: Brenda Travis, D.C.



IN THE CIRCUIT COURT OF HOLMES COUNTY, MISSISSIPPI

KIMBERLY OUTLAW AS MOTHER AND  
WRONGFUL DEATH BENEFICIARY OF  
KAMAYA LLOYD, DECEASED

PLAINTIFF

VS.

CIVIL ACTION NO. 2019-0157

HOLMES COUNTY, MISSISSIPPI;  
WILLIE MARCH, HOLMES COUNTY SHERIFF,  
IN HIS OFFICIAL CAPACITY; AND  
HOLMES COUNTY SHERIFF'S DEPARTMENT

DEFENDANTS

**COMPLAINT**

COMES NOW, the Plaintiff, Kimberly Outlaw, as Mother and Wrongful Death Beneficiary of Kamaya Lloyd, Deceased, through undersigned counsel, and files this Complaint against Defendants Holmes County, Mississippi; Willie March, Holmes County Sheriff, in his Official Capacity; and Holmes County Sheriff's Department; as follows:

**PARTIES**

1. Plaintiff, Kimberly Outlaw, is an adult resident citizen of Cruger, Holmes County, Mississippi.
2. Defendant Holmes County, Mississippi, is a political subdivision of the State of Mississippi or an instrumentality thereof and may be served with the Summons and Complaint through the Holmes County Board of Supervisors President, Charlie Joiner, located in the Holmes County Chancery Court Building, 1 Courthouse Sq., Lexington, Mississippi 39095.
3. Defendant, Willie March, is being sued in his official capacity as Holmes County Sheriff and may be served with the Summons and Complaint at the Holmes County Sheriff's

FILED  
A.M. or P.M. 8:48  
JUL - 2 2019  
EARLINE WRIGHT-HART, CIRCUIT CLERK  
*Brenda Harris*

Department. At all times relevant hereto, Defendant Willie March was employed as the Sheriff of Holmes County.

4. Defendant, Holmes County Sheriff's Department is a political subdivision of the State of Mississippi or an instrumentality thereof and is being sued under the Mississippi Tort Claims Act.

#### **JURISDICTION AND VENUE**

5. This Court has jurisdiction over each of the Defendants and the subject matter of the claims made in this Complaint.

6. Venue is proper in this matter as the cause of action occurred and/or accrued in Holmes County and at least one of the Defendants may be found there.

#### **COMPLIANCE WITH STATUTES**

7. Plaintiff has hereby complied with the Mississippi Tort Claims Act (hereinafter "MTCA") Miss. Code Ann. § 11-46-1 *et seq.* by sending notice of claim letter on March 11, 2019 via Certified Mail to the Chancery Clerk of Holmes County, Mississippi, the Holmes County Board of Supervisors, and Holmes County Sheriff's Department/Sheriff Willie March. *See* copy of Notice of Claim letter attached hereto as Exhibit "A".

#### **FACTS**

8. On or about July 2, 2018, Kimberly Outlaw, attempted to get a permanent domestic violence protective order against Lavonta Lloyd at Holmes County Justice Court, for stalking and death threats. Plaintiff had previously filed domestic violence charges against Lavonta Lloyd with Holmes County Justice Court on February 7, 2017. Lavonta Lloyd had previously been arrested twice in Jackson, Mississippi on domestic violence charges in 2016 and

2017. A Petition for Domestic Abuse Protection Order, Cause No. 18-0081, was filed in Holmes County Chancery Court on the afternoon of July 2, 2018.

9. That same day Lloyd took his daughter, Kamaya, from a day care but later returned her to her mother Ms. Outlaw that evening.

10. On, or about July 3, 2018, Holmes County deputies were called when Lloyd, resurfaced at Ms. Outlaw's home in Cruger. Deputies chased Lloyd but he escaped into a nearby cornfield. Deputies called off the search due to an inmate escaping the county's jail.

11. On or about July 5, 2018, Lloyd kidnapped his daughter Kamaya from Ms. Outlaw at gunpoint. Lloyd fled Ms. Outlaw's house and subsequently murdered Kamaya. This was Lloyd's third time seeking to take Kamaya from Ms. Outlaw in the course of a week after constant complaints, contact, and requests from not only the Plaintiff but members of her family.

12. Despite their actual and constructive knowledge of Lavonta Lloyd's violent and harmful conduct, the Defendants deliberately disregarded the risk and high probability of harm associated with Lloyd's conduct. The negligence of the Holmes Sheriff's Department in preventing this crime resulted in the murder of Kamaya Lloyd. The Defendants proximately caused her death and the damages suffered by the Plaintiff.

**COUNT I CLAIMS FOR RELIEF AGAINST DEFENDANTS HOLMES COUNTY SHERIFF'S DEPARTMENT; WILLIE MARCH, HOLMES COUNTY SHERIFF, IN HIS OFFICIAL CAPACITY; AND HOLMES COUNTY SHERIFF'S DEPARTMENT**

13. Plaintiff adopts and incorporates by reference the foregoing paragraphs.

14. Defendant Holmes County Sheriff's Department; Defendant Willie March, Holmes County Sheriff, in his Official Capacity; and Defendant Holmes County Sheriff's Department individually, jointly, and severally, owed to Kamaya Lloyd an ordinary duty of care,

specifically, the duty provide reasonable measures for the protection of Kamaya Lloyd from foreseeable harm. Specifically, the Holmes County Sherriff's Department showed reckless disregard for the safety of Kamaya Lloyd and the Plaintiff. The Holmes County Sherriff's department showed a conscious indifference to the threats made against the minor child and the Plaintiff by Lavonta Lloyd.

15. These Defendants knew that on several occasions before July 5, 2018, that Lavonta Lloyd had stalked and made death threats against Kamaya Lloyd and harassed Kimberly Outlaw by telephone; that Lavonta Lloyd had already kidnapped or attempted to kidnap Kamaya Lloyd twice previously; and that Kamaya Lloyd and the Plaintiff were not reasonably safe.

16. Despite their knowledge of these actions, the Defendants did nothing to remedy or protect the Plaintiff and Kamaya Lloyd. Moreover, the Defendants failed to apprehend Lavonta Lloyd.

17. These Defendant's actions, omissions, and conduct were without just cause and in reckless, conscious, and/or knowing disregard for Kamaya Lloyd's rights and personal safety. Moreover, Defendants' actions, omissions, and conduct constituted gross negligence.

18. As a direct and proximate result of the Defendants' negligence, Kamaya Lloyd was kidnapped and ultimately murdered.

## **COUNT II: RESPONDEAT SUPERIOR**

19. Plaintiff re-alleges and incorporates by reference the preceding paragraphs above, as set forth in full hereinafter.

20. Defendants are responsible for the acts and omissions, including the negligence and gross negligence, of its employees and agents under the doctrine of Respondeat Superior.

21. The negligence and gross negligence of Defendants was a breach in the standard of care owed to Plaintiff and caused Plaintiff harm and severe, permanent damages. Said negligence and gross negligence is imputed to their employers.

**COUNT III: FAILURE TO ADEQUATELY TRAIN AND SUPERVISE DEPUTIES**

22. Plaintiff re-alleges and incorporates by reference the preceding paragraphs above, as set forth in full hereinafter.

23. The Defendants, Holmes County, Mississippi, Holmes County Sheriff's Department and Training Director, failed to provide adequate and competent training and/or supervision to the Defendants. The Defendants are and were at the time of the injury, tasked with the non-delegable duty and responsibility to formulate, oversee, and implement official policies, procedures, practices and customs that were to be carried out by all employees.

24. The Defendant March is the duly elected Sheriff of Holmes County, Mississippi, vested with the responsibility and authority to hire, train, supervise, set policies and procedures, enforce the policies and procedures adopted or otherwise implemented and to provide protections to citizens of Holmes County, Mississippi, including the Plaintiff by and on behalf of the Defendant Holmes County, Mississippi.

25. Failure to provide adequate training and supervision and to allow a cover up was so grossly negligent that it amounted to a deliberate indifference and blatant disregard for the rights, privileges and immunities of the Plaintiff, and any other person or persons similarly situated. Thus, because of the failure to adequately train and supervise and to allow a cover-up, the aforementioned Defendants are liable for Plaintiff's injuries, damages and the deprivation of civil rights associated therewith

26. As a direct and proximate consequence of the aforementioned Defendants' failure to properly develop, implement, and/or otherwise devise a policy of adequate police training and/or supervision for its officers, the Plaintiff was deprived of certain constitutional rights, privileges and immunities which, if properly trained and supervised, every officer within the employment of Holmes County, Mississippi and the Holmes County Sheriff's Department would have known of the corresponding deprivation of their civil rights, privileges and immunities.

### **DAMAGES**

27. Plaintiff re-alleges and incorporates by reference the preceding paragraphs above, as if set forth in full hereafter.

28. As a result of Defendants' negligence, misrepresentations, and other conduct as alleged herein, Plaintiff sustained injuries and incurred substantial damages as listed below including, but not limited to the following:

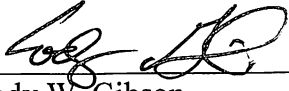
- a. Funeral expenses and bills;
- b. Mental anguish and emotional distress;
- c. Physical pain and suffering;
- d. Inconvenience and discomfort;
- e. Any other relief, economic or non-economic which the Court or jury deems just or appropriate pursuant to the laws of the State of Mississippi based upon the facts and circumstances of this case.

**WHEREFORE, PREMISES CONSIDERED,** Plaintiff, Kimberly Outlaw, demands judgment from and against the Defendants jointly and severally, for compensatory damages as shown by the evidence, post-interest on the judgment, punitive damages if applicable, attorney's

fees, all costs, fees, and disbursements, and such other relief under the laws of the State of Mississippi or of any kind to which the Plaintiff is otherwise entitled.

**RESPECTFULLY SUBMITTED**, this the 2nd day of July, 2019.

**PLAINTIFF KIMBERLY OUTLAW**

BY:   
Cody W. Gibson

CODY W. GIBSON MSB# 103967  
SCOTT MULLENNIX MSB#104859  
GIBSON & MULLENNIX, PLLC  
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JACKSON, MS 39201  
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Burch Law Firm, PLLC  
Post Office Box 692  
Madison, Mississippi 39130  
Telephone: (601) 790-0175  
Facsimile: (601) 510-9319

FILED  
A.M. or P.M. 2:48  
JUL - 2 2019  
EARLINE WRIGHT-HART, CIRCUIT CLERK  
BY \_\_\_\_\_ D.C.



**COVER SHEET****Civil Case Filing Form**(To be completed by Attorney/Party  
Prior to Filing of Pleading)

Court Identification Docket #

8	6	7	C	7
County #		Judicial District	Court ID (CH, CI, CO)	

Case Year

2019

Docket Number

0	0	1	5	7
Local Docket ID				

Mississippi Supreme Court

Form AOC/01

Administrative Office of Courts

(Rev 2016)

This area to be completed by clerk

Case Number if filed prior to 1/1/94

In the CIRCUIT

Court of HOLMES

County —

Judicial District

**Origin of Suit (Place an "X" in one box only)**

- |  |                                     |  |  |                                |
|--|-------------------------------------|--|--|--------------------------------|
| <input checked="" type="checkbox"/> Initial Filing | <input type="checkbox"/> Reinstated | <input type="checkbox"/> Foreign Judgment Enrolled | <input type="checkbox"/> Transfer from Other court | <input type="checkbox"/> Other |
| <input type="checkbox"/> Remanded                  | <input type="checkbox"/> Reopened   | <input type="checkbox"/> Joining Suit/Action       | <input type="checkbox"/> Appeal                    |                                |

**Plaintiff - Party(ies) Initially Bringing Suit Should Be Entered First - Enter Additional Plaintiffs on Separate Form**Individual OUTLAWKIMBERLY

Last Name

First Name

Maiden Name, if applicable

M.I.

Jr/Sr/III/IV

Check ( x ) if Individual Plaintiff is acting in capacity as Executor(trix) or Administrator(trix) of an Estate, and enter style:

Estate of AS MOTHER AND WRONGFUL DEATH BENEFICIARY OF KAMAYA LLOYD, DECEASEDCheck ( x ) if Individual Plaintiff is acting in capacity as Business Owner/Operator (d/b/a) or State Agency, and enter entity  
D/B/A or Agency

Business

Enter legal name of business, corporation, partnership, agency - If Corporation, indicate the state where incorporated

Check ( x ) if Business Plaintiff is filing suit in the name of an entity other than the above, and enter below:  
D/B/AAddress of Plaintiff CRUGER, HOLMES COUNTY, MISSISSIPPIAttorney (Name & Address) CODY GIBSON, 405 TOMBIGBEE ST, JACKSON, MS 39201MS Bar No. 103967

Check ( x ) if Individual Filing Initial Pleading is NOT an attorney

Signature of Individual Filing: **Defendant - Name of Defendant - Enter Additional Defendants on Separate Form**

Individual

Last Name

First Name

Maiden Name, if applicable

M.I.

Jr/Sr/III/IV

Check ( x ) if Individual Defendant is acting in capacity as Executor(trix) or Administrator(trix) of an Estate, and enter style:

Estate of

Check ( x ) if Individual Defendant is acting in capacity as Business Owner/Operator (d/b/a) or State Agency, and enter entity:

D/B/A or Agency

Business HOLMES COUNTY, MISSISSIPPI

Enter legal name of business, corporation, partnership, agency - If Corporation, indicate the state where incorporated

Check ( x ) if Business Defendant is acting in the name of an entity other than the above, and enter below:  
D/B/A

Attorney (Name &amp; Address) - If Known

MS Bar No.

Check ( x ) if child support is contemplated as an issue in this suit.\*

\*If checked, please submit completed Child Support Information Sheet with this Cover Sheet

**Nature of Suit (Place an "X" in one box only)****Domestic Relations**

- ☐ Child Custody/Visitation
- ☐ Child Support
- ☐ Contempt
- ☐ Divorce: Fault
- ☐ Divorce: Irreconcilable Diff.
- ☐ Domestic Abuse
- ☐ Emancipation
- ☐ Modification
- ☐ Paternity
- ☐ Property Division
- ☐ Separate Maintenance
- ☐ Term. of Parental Rights-Chancery
- ☐ UIFSA (eff 7/1/97; formerly URESA)
- ☐ Other

**Appeals**

- ☐ Administrative Agency
- ☐ County Court
- ☐ Hardship Petition (Driver License)
- ☐ Justice Court
- ☐ MS Dept Employment Security
- ☐ Municipal Court
- ☐ Other

**Business/Commercial**

- ☐ Accounting (Business)
- ☐ Business Dissolution
- ☐ Debt Collection
- ☐ Employment
- ☐ Foreign Judgment
- ☐ Garnishment
- ☐ Replevin
- ☐ Other

**Probate**

- ☐ Accounting (Probate)
- ☐ Birth Certificate Correction
- ☐ Mental Health Commitment
- ☐ Conservatorship
- ☐ Guardianship
- ☐ Heirship
- ☐ Intestate Estate
- ☐ Minor's Settlement
- ☐ Muniment of Title
- ☐ Name Change
- ☐ Testate Estate
- ☐ Will Contest
- ☐ Alcohol/Drug Commitment (Involuntary)

- ☐ Alcohol/Drug Commitment (Voluntary)
- ☐ Other

**Children/Minors - Non-Domestic**

- ☐ Adoption - Contested
- ☐ Adoption - Uncontested
- ☐ Consent to Abortion
- ☐ Minor Removal of Minority
- ☐ Other

**Civil Rights**

- ☐ Elections
- ☐ Expungement
- ☐ Habeas Corpus
- ☐ Post Conviction Relief/Prisoner
- ☐ Other

**Contract**

- ☐ Breach of Contract
- ☐ Installment Contract
- ☐ Insurance
- ☐ Specific Performance
- ☐ Other

**Statutes/Rules**

- ☐ Bond Validation
- ☐ Civil Forfeiture
- ☐ Declaratory Judgment
- ☐ Injunction or Restraining Order
- ☐ Other

**Real Property**

- ☐ Adverse Possession
- ☐ Ejectment
- ☐ Eminent Domain
- ☐ Eviction
- ☐ Judicial Foreclosure
- ☐ Lien Assertion
- ☐ Partition
- ☐ Tax Sale: Confirm/Cancel
- ☐ Title Boundary or Easement
- ☐ Other

**Torts**

- ☐ Bad Faith
- ☐ Fraud
- ☐ Intentional Tort
- ☐ Loss of Consortium
- ☐ Malpractice - Legal
- ☐ Malpractice - Medical
- ☐ Mass Tort
- ☒ Negligence - General
- ☐ Negligence - Motor Vehicle
- ☐ Premises Liability
- ☐ Product Liability
- ☐ Subrogation
- ☐ Wrongful Death
- ☐ Other

IN THE CIRCUIT COURT OF HOLMES COUNTY, MISSISSIPPI  
JUDICIAL DISTRICT, CITY OF

Docket No. \_\_\_\_\_ - \_\_\_\_\_  
File Yr Chronological No. Clerk's Local ID

Docket No. If Filed  
 Prior to 1/1/94 \_\_\_\_\_

**DEFENDANTS IN REFERENCED CAUSE - Page 1 of \_\_\_\_ Defendants Pages**  
**IN ADDITION TO DEFENDANT SHOWN ON CIVIL CASE FILING FORM COVER SHEET**

**Defendant #2:**

**Individual:** MARCH WILLIE (\_\_\_\_\_) \_\_\_\_\_  
Last Name First Name Maiden Name, if Applicable Middle Init. Jr/Sr/III/IV

\_\_\_\_ Check (✓) if Individual Defendant is acting in capacity as Executor(trix) or Administrator(trix) of an Estate, and enter style:

Estate of \_\_\_\_\_

✓ Check (✓) if Individual Defendant is acting in capacity as Business Owner/Operator (D/B/A) or State Agency, and enter that name below:

D/B/A IN HIS OFFICIAL CAPACITY AS HOLMES COUNTY SHERIFF

**Business** \_\_\_\_\_  
Enter legal name of business, corporation, partnership, agency - If Corporation, indicate state where incorporated

\_\_\_\_ Check (✓) if Business Defendant is being sued in the name of an entity other than the name above, and enter below:

D/B/A \_\_\_\_\_

ATTORNEY FOR THIS DEFENDANT: \_\_\_\_\_ Bar # or Name: \_\_\_\_\_ Pro Hac Vice (✓) \_\_\_\_ Not an Attorney(✓) \_\_\_\_

**Defendant #3:**

**Individual:** \_\_\_\_\_ (\_\_\_\_\_) \_\_\_\_\_  
Last Name First Name Maiden Name, if Applicable Middle Init. Jr/Sr/III/IV

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Estate of \_\_\_\_\_

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D/B/A \_\_\_\_\_

**Business** HOLMES COUNTY SHERIFF'S DEPARTMENT  
Enter legal name of business, corporation, partnership, agency - If Corporation, indicate state where incorporated

\_\_\_\_ Check (✓) if Business Defendant is being sued in the name of an entity other than the name above, and enter below:

D/B/A \_\_\_\_\_

ATTORNEY FOR THIS DEFENDANT: \_\_\_\_\_ Bar # or Name: \_\_\_\_\_ Pro Hac Vice (✓) \_\_\_\_ Not an Attorney(✓) \_\_\_\_

**Defendant #4:**

**Individual:** \_\_\_\_\_ (\_\_\_\_\_) \_\_\_\_\_  
Last Name First Name Maiden Name, if Applicable Middle Init. Jr/Sr/III/IV

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Estate of \_\_\_\_\_

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D/B/A \_\_\_\_\_

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Enter legal name of business, corporation, partnership, agency - If Corporation, indicate state where incorporated

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D/B/A \_\_\_\_\_

ATTORNEY FOR THIS DEFENDANT: \_\_\_\_\_ Bar # or Name: \_\_\_\_\_ Pro Hac Vice (✓) \_\_\_\_ Not an Attorney(✓) \_\_\_\_

## GIBSON & MULLENNIX, PLLC

ATTORNEYS AT LAW

Cody W. Gibson, Esq  
Tel: 601-948-9840  
email: cwgibsonlaw@gmail.com

405 Tombigbee Street  
Jackson, Mississippi 39201

Wm. Scott Mullennix, Esq.  
Tel: 601-487-7370  
email: mullennixlaw@gmail.com

August 7, 2019

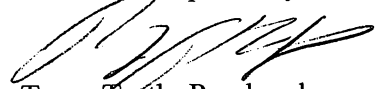
Earline Wright-Hart  
Holmes County Circuit Clerk  
PO Box 718  
Lexington, MS 39095

Re: *Kimberly Outlaw as Mother and Wrongful Death Beneficiary of Kamaya Lloyd,  
Deceased vs Holmes County, Mississippi; Willie March, Holmes County Sheriff, in his  
Official Capacity; and Holmes County Sheriff's Department*

Dear Ms. Wright-Hart:

Please find enclosed the original and two copies of the Amended Complaint and two copies each of the Summonses to the Defendants in the above case. Please stamp, file, and return one copy of each in the self-addressed return envelope.

Respectfully,

  
Tracy Troth, Paralegal

FILED  
10:00 A.M. or P.M.  
AUG - 9 2019  
EARLINE WRIGHT-HART, CIRCUIT CLERK  
BY *Brenda Tris* D.C.

IN THE CIRCUIT COURT OF HOLMES COUNTY, MISSISSIPPI

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WILLIE MARCH, HOLMES COUNTY SHERIFF,  
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DEFENDANTS

**AMENDED COMPLAINT**

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**PARTIES**

1. Plaintiff, Kimberly Outlaw, is an adult resident citizen of Cruger, Holmes County, Mississippi.
2. Defendant Holmes County, Mississippi, is a political subdivision of the State of Mississippi or an instrumentality thereof and may be served with the Summons and Complaint through the Holmes County Board of Supervisors, James Young President, located in the Holmes County Chancery Court Building, 1 Courthouse Sq., Lexington, Mississippi 39095, or the Holmes County Chancery Clerk, Henry Lockett who acts as the Clerk for the Board of Supervisors.

FILED  
10:00 A.M. or P.M.  
AUG - 9 2019  
EARLENE WRIGHT HART, CIRCUIT CLERK  
BY *Brenda L. L. D.C.*

3. Defendant, Willie March, is being sued in his official capacity as Holmes County Sheriff and may be served with the Summons and Complaint at the Holmes County Sheriff's Department. At all times relevant hereto, Defendant Willie March was employed as the Sheriff of Holmes County.

4. Defendant, Holmes County Sheriff's Department is a political subdivision of the State of Mississippi or an instrumentality thereof and is being sued under the Mississippi Tort Claims Act, and may be served through the Sheriff, Willie March.

#### **JURISDICTION AND VENUE**

5. This Court has jurisdiction over each of the Defendants and the subject matter of the claims made in this Complaint.

6. Venue is proper in this matter as the cause of action occurred and/or accrued in Holmes County and at least one of the Defendants may be found there.

#### **COMPLIANCE WITH STATUTES**

7. Plaintiff has hereby complied with the Mississippi Tort Claims Act (hereinafter "MTCA") Miss. Code Ann. § 11-46-1 *et seq.* by sending notice of claim letter on March 11, 2019 via Certified Mail to the Chancery Clerk of Holmes County, Mississippi, the Holmes County Board of Supervisors, and Holmes County Sheriff's Department/Sheriff Willie March. *See* copy of Notice of Claim letter attached hereto as Exhibit "A".

#### **FACTS**

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**COUNT I CLAIMS FOR RELIEF AGAINST DEFENDANTS HOLMES COUNTY SHERIFF'S DEPARTMENT; WILLIE MARCH, HOLMES COUNTY SHERIFF, IN HIS OFFICIAL CAPACITY; AND HOLMES COUNTY SHERIFF'S DEPARTMENT**

13. Plaintiff adopts and incorporates by reference the foregoing paragraphs.

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15. These Defendants knew that on several occasions before July 5, 2018, that Lavonta Lloyd had stalked and made death threats against Kamaya Lloyd and harassed Kimberly Outlaw by telephone; that Lavonta Lloyd had already kidnapped or attempted to kidnap Kamaya Lloyd twice previously; and that Kamaya Lloyd and the Plaintiff were not reasonably safe.

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20. Defendants are responsible for the acts and omissions, including the negligence and gross negligence, of its employees and agents under the doctrine of Respondeat Superior.

21. The negligence and gross negligence of Defendants was a breach in the standard of care owed to Plaintiff and caused Plaintiff harm and severe, permanent damages. Said negligence and gross negligence is imputed to their employers.

**COUNT III: FAILURE TO ADEQUATELY TRAIN AND SUPERVISE DEPUTIES**

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23. The Defendants, Holmes County, Mississippi, Holmes County Sheriff's Department and Training Director, failed to provide adequate and competent training and/or supervision to the Defendants. The Defendants are and were at the time of the injury, tasked with the non-delegable duty and responsibility to formulate, oversee, and implement official policies, procedures, practices and customs that were to be carried out by all employees.

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25. Failure to provide adequate training and supervision and to allow a cover up was so grossly negligent that it amounted to a deliberate indifference and blatant disregard for the



rights, privileges and immunities of the Plaintiff, and any other person or persons similarly situated. Thus, because of the failure to adequately train and supervise and to allow a cover-up, the aforementioned Defendants are liable for Plaintiff's injuries, damages and the deprivation of civil rights associated therewith

26. As a direct and proximate consequence of the aforementioned Defendants' failure to properly develop, implement, and/or otherwise devise a policy of adequate police training and/or supervision for its officers, the Plaintiff was deprived of certain constitutional rights, privileges and immunities which, if properly trained and supervised, every officer within the employment of Holmes County, Mississippi and the Holmes County Sheriff's Department would have known of the corresponding deprivation of their civil rights, privileges and immunities.

#### **DAMAGES**

27. Plaintiff re-alleges and incorporates by reference the preceding paragraphs above, as if set forth in full hereafter.

28. As a result of Defendants' negligence, misrepresentations, and other conduct as alleged herein, Plaintiff sustained injuries and incurred substantial damages as listed below including, but not limited to the following:

- a. Funeral expenses and bills;
- b. Mental anguish and emotional distress;
- c. Physical pain and suffering;
- d. Inconvenience and discomfort;

e. Any other relief, economic or non-economic which the Court deems just or appropriate pursuant to the laws of the State of Mississippi based upon the facts and circumstances of this case.

**WHEREFORE, PREMISES CONSIDERED**, Plaintiff, Kimberly Outlaw, demands judgment from and against the Defendants jointly and severally, for compensatory damages as shown by the evidence, post-interest on the judgment, punitive damages if applicable, attorney's fees, all costs, fees, and disbursements, and such other relief under the laws of the State of Mississippi or of any kind to which the Plaintiff is otherwise entitled.

**RESPECTFULLY SUBMITTED**, this the 7<sup>th</sup> day of August, 2019.

**PLAINTIFF KIMBERLY OUTLAW**

BY:

  
Cody W. Gibson

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BY \_\_\_\_\_ D.C.

**Gibson & Mullennix, PLLC.**

405 Tombigbee Street  
Jackson, MS 39201  
mullennixlaw@gmail.com  
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*Certified Mail*  
*Return Receipt Requested*  
March 11, 2019

Holmes County Board of Supervisors, James Young, President  
408 Court Square  
PO Box 239  
Lexington MS 39095-0239

Katherine B. Riley, Holmes County Board Attorney  
Post Office Box 927  
Lexington, MS 39095

Willie March, Sheriff  
Holmes County Sheriff Department  
23234 Highway 12 East  
Lexington MS 39095

Mr. Henry Luckett  
Chancery Clerk Holmes County, Mississippi  
P.O. Box 1211  
Lexington, Mississippi 39095

Re: Kimberly Outlaw, as Mother and Wrongful Death Beneficiary of Kamaya Lloyd

**Mississippi Tort Claims Notice Pursuant to M.C.A. §11-46-1 and Other Applicable Laws**  
**against the Holmes County and Holmes County Sheriff's Department**

Ladies and Gentlemen:

INTRODUCTION

We have been retained by Kimberly Outlaw, as Mother and Wrongful Death Beneficiary of Kamaya Lloyd, to represent her in her efforts to recover damages, which were sustained on or about July 5, 2018, when the Holmes County Sheriff's Department failed to act upon Kimberly Outlaws numerous complaints and calls to the Holmes County Sheriff's Department, and their

failure to act was so careless and inattentive that it allowed Lavonte Lloyd, father of Kimberly Outlaw's daughter Kamaya Lloyd, to kidnap Kamaya Lloyd twice and on the second occasion shoot and murder Kamaya Lloyd.

#### PURPOSE OF LETTER

The purpose of this letter is to set forth, on behalf of Kimberly Outlaw, a Mississippi Tort Claim Notice Pursuant to M.C.A. § 11-46-1, as amended, and other applicable laws.

#### PARTIES

1. The Plaintiff is:
  - a. Kimberly Outlaw, as Mother and Wrongful Death Beneficiary of Kamaya Lloyd, and Resident of Holmes County, 31 Patty Street Cruger, Mississippi 38924. Outlaw lived in Holmes County at all relevant times relating to this case, including before, during, and after this incident.
2. The Defendant is as follows:
  - a. Holmes County
  - b. Holmes County Sheriff's Department
  - c. Holmes County Sherriff, Willie March

#### FACTS AND CIRCUMSTANCES

##### **Statement of the Facts and Circumstances Leading to the Damages sustained by Kimberly Outlaw**

On or about July 2, 2018, Kimberly Outlaw, attempted to get a permanent domestic violence protective order against Lavonte Lloyd, for stalking and death threats. A permanent domestic violence order was requested after stalking, death threats, and telephone harassment via both personal and work phone. Supporting documents were supplied but Kimberly was told that she needed to contact a lawyer. All details were told

to Chancery Court staff and protection order completed. Per Mrs. Luckett's (Chancery court staff) request copies were immediately delivered to the Sheriff's Department and Kimberly's job. It was never said that there was a waiting period for the protection orders to take effect nor that I had to go before a judge. That same day Lloyd took his daughter, Kamaya, from a day care but later returned her to her mother Ms. Outlaw after great effort by Ms. Outlaw.

During this time period, Sheriff March was contacted and advised Kimberly to text him where Lavonta could be located and also stated he would look into the previous charges filed against him. Sheriff March returned Outlaw's call and stated he had no prior records of any charges against Lavonta that had been filed 2017 and that his office did not know of a protection order that was filed previously by Ms. Outlaw in July 2018.

On, or about July 3, 2018, Holmes County deputies were called when Lloyd, resurfaced at Ms. Outlaw's home in Cruger. Deputies chased Lloyd but he escaped into a nearby cornfield. Deputies called off the search due to an inmate escaping the county's jail.

During the time period of this incident, July 2-6, 2018, Ms. Outlaw contacted Holmes County Sheriff's department at least six to seven (6-7) different occasions and possibly more. Immediately after returning to work, Kimberly contacted Sheriff March because Lavonta had taken KaMaya from daycare after the protection order was filed. Sheriff March told Outlaw there was nothing his office could do due to the fact that he was on the birth certificate. With the help of Kimberly's brother and Lavonta's step-mother, KaMaya was returned to her safely after failed attempts of seeking help from Sheriff March.

On or about July 5, 2018, Lloyd kidnapped his Kamaya from Ms. Outlaw at gunpoint. Lloyd fled Ms. Outlaw's house and subsequently murdered Kamaya. This was Lloyd's third time seeking to take Kamaya from Ms. Outlaw in the course of a week. The negligence of the Sheriff's department in preventing this crime resulted in the murder of Kamaya Lloyd.

Over this period of time, Ms. Outlaw went to the Chancery Clerk and Justice Court Clerk to file for protective Orders as requested by the Sheriff's department. Ms. Outlaw and her family even personally contacted the Sheriff, Willie March, on his personal cell phone to stop the harassment and protect her and her young daughter. However, even after all of the pleas and calls for help Mr. Lloyd still kidnapped and murdered Ms. Outlaw's minor child.

#### WITNESSES

1. Kimberly Outlaw
2. Willie March
3. Gwen Winston-Lloyd, Stepmother of Lavonte Lloyd
4. Other Employees of Holmes County Sherriff's Department
5. Ann Outlaw, Mother of Kimberly Outlaw
6. Tony Outlaw, Jr., Brother of Kimberly Outlaw
7. Tony Outlaw, Sr., Father of Kimberly Outlaw
8. Veronica Amos, Co-worker of Kimberly Outlaw
9. Deborah Landfair, Co-Worker of Kimberly Outlaw
10. Holmes County Justice Court Staff
11. Holmes County Chancery Staff

12. Max McKinnley, Compliance Officer for Mallory Community Health Center
13. Javares Outlaw, Brother of Kimberly Outlaw
14. Lorenzo Benson

#### DAMAGES

Kimberly Outlaw has sustained damages including but not limited to emotional distress, loss of her daughter, and other damages that may be shown at trial. Damages are in the amount of at least \$1,000,000.00.

#### REPRESENTATION

I am an attorney licensed to practice law in the State of Mississippi and I have been authorized by Kimberly Outlaw for damages sustained. In the event that the Holmes County, The Holmes County Sherriff's Department, or any other party has any interest in resolving this matter without litigation I am authorized to negotiate a settlement of this claim. If you have any questions please feel free to call me.

Sincerely,

A handwritten signature in black ink, appearing to read 'Cody W. Gibson', with a stylized flourish at the end.

Cody W. Gibson